

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
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DATE FILED: 2/5/2021

GULCAN SIMSEK,

Plaintiff,

-against-

TERRAFINA, L.L.C., JOSEPH PAGANO,  
KENAN IZCI, and JAMES LOCK,

Defendants.

1:19-cv-07538-MKV

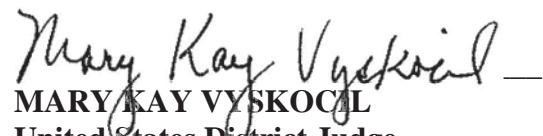
ORDER OF DISMISSAL

MARY KAY VYSKOCIL, United States District Judge:

The Court is in receipt of a letter from the parties informing the Court that the parties have reached a settlement in principle [ECF No. 46]. Accordingly, IT IS HEREBY ORDERED that the above-captioned action is discontinued without costs to any party and without prejudice to restoring the action to this Court's calendar if a settlement agreement has not been executed if the application to restore the action is made by **March 7, 2021**. If no such application is made by that date, today's dismissal of the action is with prejudice. *See Muze, Inc. v. Digital On Demand, Inc.*, 356 F.3d 492, 494 n.1 (2d Cir. 2004).

**SO ORDERED.**

Date: February 5, 2021  
New York, NY

  
MARY KAY VYSKOCIL  
United States District Judge